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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below by First Class Mail addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Luajuana LeGrande — Signature — 12-17-01 — Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Chan, et al.

EXAMINER: Unknown

SERIAL NO: Unknown

ART UNIT: Unknown

FILED:

TITLE: Interleukin-2 Mutein Expressed from Mammalian Cells

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

This Preliminary Amendment is filed concurrently with the filing of a divisional application under 37 C.F.R. 1.53(b). Please amend the application as follows:

In the Claims:

Cancel Claims 1-14 without prejudice.

Add Claims 15-21, as shown on Page 2.

In the Specification:

On page 1, insert the paragraph as shown on Page 3 at the top of the page 1 and just before the first words "Related Application".

15. A mammalian cell line encoding an interleukin-2 mutein having a mammalian glycosylation pattern, wherein the interleukin-2 mutein is numbered in accordance with wild-type interleukin-2 and the asparagine at position 88 of the wild-type interleukin-2 is substituted with arginine.

16. The mammalian cell line of claim 15 wherein the glycosylation is O-linked.

17. The mammalian cell line of claim 16 wherein the glycosylation comprises O-linked GalNAc, GalNAc-β-Gal, and GalNAc-β-Gal-α-NeuNAc.

18. The cell line of claim 15 wherein the cell line is a CHO cell line.

19. A plasmid comprising a DNA sequence encoding an interleukin-2 mutein having a mammalian glycosylation pattern, wherein the interleukin-2 mutein is numbered in accordance with wild-type interleukin-2 and the asparagine at position 88 of the wild-type interleukin-2 is substituted with arginine.

20. The plasmid of claim 19 as shown in the plasmid map of the Figure.

21. A method of producing an interleukin-2 mutein having a mammalian glycosylation pattern, wherein the interleukin-2 mutein is numbered in accordance with wild-type interleukin-2 and the asparagine at position 88 of the wild-type interleukin-2 is substituted with arginine comprising the steps of:
    a) obtaining a vector comprising a nucleic acid sequence coding for the interleukin-2 mutein, and
    b) introducing the vector into a mammalian cell capable of expressing the interleukin-2 mutein.

Cross Reference to Related Applications:

This application is a division of U.S. Serial No. 09/310,026, filed May 11, 1999, allowed.

REMARKS

The parent case was subject to a Restriction Requirement dated June 20, 2000, which divided the application into two groups: Group I (claims 1-5) and Group II (Claims 6-14). In the parent application, Group I (claims 1-5) was elected for further prosecution, the claims of Group II were withdrawn from consideration by the Examiner. The subject matter corresponding to the claims of Group I was recently allowed by the Examiner in the parent filing, and the issue fee was paid on December 10, 2001. This divisional application is filed prior to the issuance of the previous case from which this claims priority.

Claims 6-14 were cancelled and new claims 15-21 were added. These new claims removed dependencies found in Claims 6-14 and now reflect the amendments made to the claims in the parent case. No new matter has been introduced.

Claim for priority. This divisional application claims priority to U.S.S.N. 09/310,026, filed May 11, 1999, allowed.

CONCLUSION

Any questions or discussion may be directed to the attorney named below, whose phone number is (510) 705-7901.

Respectfully submitted,

Dated: December 14, 2001

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